

### TOP Scenario Answer Key

**Couple 1:** Look back period 3/04 to 3/09, will still look at April, May and June. By requesting prior it allows the agency to go back 3 more months. The home was an inappropriate transfer per KEESM 5721.5. The penalty is reflected below.

<b>APPLICANT TRANSFER OF PROPERTY WORKSHEET</b>			
Beneficiary Name:	Mr. H	Beneficiary ID:	123456789
Is Medicaid paying for this applicant's HCBS, PACE, or NF services? (Type Yes or No)		no	
Application Date (MM/DD/YY):	6/20/2009		
Initial Start Date for Medicaid LTC Payments (MM/DD/YY):	3/1/2009		
Transfer Date (MM/DD/YY):	2/23/2009		
<b>TRANSFER DISQUALIFICATION APPLIES</b>			
Transfer Amount:	\$ 270,000		
Applicable Average Daily Private Pay Rate:	\$ 137.65		
Number of Penalty Days :	1,961		
Penalty Period Start Date	3/1/2009		
Penalty Period End Date	7/13/2014		

**Couple 2:** Look back period 4/04-4/09. The transfer of the RV to the son was inappropriate. Per KEESM 5520, one motor vehicle (owned or being purchased) per assistance family group is exempt if the primary purpose of the vehicle is to serve the needs of the assistance family group. The vehicle is not exempt if someone outside of the assistance family group has the primary use, enjoyment and possession of the vehicle. The penalty is reflected below.

<b>APPLICANT TRANSFER OF PROPERTY WORKSHEET</b>			
Beneficiary Name:	Mr. M	Beneficiary ID:	123456789
Is Medicaid paying for this applicant's HCBS, PACE, or NF services? (Type Yes or No)		no	
Application Date (MM/DD/YY):	4/10/2009		
Initial Start Date for Medicaid LTC Payments (MM/DD/YY):	4/1/2009		
Transfer Date (MM/DD/YY):	3/15/2009		
<b>TRANSFER DISQUALIFICATION APPLIES</b>			
Transfer Amount:	\$ 62,000		
Applicable Average Daily Private Pay Rate:	\$ 137.65		
Number of Penalty Days :	450		
Penalty Period Start Date	4/1/2009		
Penalty Period End Date	6/24/2010		

**Couple 3:** The look back period 3/04 to 3/09. There was not an inappropriate transfer (including transfers to a trust) to a disabled child regardless of age are exempt.

**NOTE:** The worker needs to obtain a copy of the trust and send it through the trust clearance process before making a decision.

**Couple 4:** Since the hardware store and \$60,000 were transferred prior to 2/8/06, old TOP rules would apply. The look back period is 2/06 to 2/09 (36 months as using old TOP rules). Since the transfer was prior to the look back period there is no transfer penalty.

**Single Individual:** The look back period is 6/04 to 6/09. There was an inappropriate transfer as there is a general presumption that family members who perform personal services for other family members do so without any expectation of reimbursement. In the event payment was expected, a written contract must be executed prior to service delivery. KEESM 5722.7 The penalty is reflected below.

APPLICANT TRANSFER OF PROPERTY WORKSHEET			
Beneficiary Name:	Ms. X	Beneficiary ID:	123456789
Is Medicaid paying for this applicant's HCBS, PACE, or NF services? (Type Yes)		no	
Application Date (MM/DD/YY):	6/21/2009		
Initial Start Date for Medicaid LTC Payments (MM/DD/YY)	6/1/2009		
Transfer Date (MM/DD/YY)	5/29/2009		
TRANSFER DISQUALIFICATION APPLIES			
Transfer Amount:	\$ 80,000		
Applicable Average Daily Private Pay Rate:	\$ 137.65		
Number of Penalty Days :	581		
Penalty Period Start Date	6/1/2009		
Penalty Period End Date	1/2/2011		